

**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA  
NOTICE OF PUBLIC HEARING**

**TIME AND PLACE:**            **Thursday, October 26, 2006, @ 6:30 P.M.**  
                                 **Office of Zoning Hearing Room**  
                                 **441 4<sup>th</sup> Street, N.W. Suite 220**  
                                 **Washington, D.C. 20001**

**FOR THE PURPOSE OF CONSIDERING THE FOLLOWING:**

**Case No. 05-05            (Emergency Shelters in Commercial-Light Manufacturing Districts  
                                 – Text Amendment)**

**THIS CASE IS OF INTEREST TO ALL ANCs**

The Office of Planning, through a report dated March 3, 2006 requested a text amendment to Chapter 8 of Title 11 of the District of Columbia Municipal Regulations, to permit emergency shelters as a special exception in CM-1 and CM-2 Commercial-Light Manufacturing Districts. New text is proposed for subsection 802.1 and new subsections 802.21 and 821.17 are proposed to be added. The Office of Planning's report served as the pre-hearing submittal for the case.

This case was set down for hearing on March 13, 2006.

The following amendments to Title 11 of the District of Columbia Municipal Regulations (ZONING) are proposed:

Chapter 8, COMMERCIAL-LIGHT MANUFACTURING DISTRICTS (C-M) is amended as follows:

A.        Amend subsection 802.1 to read as follows: (new text is underlined):

802.1    The uses in this section shall be permitted as special exceptions in a C-M District if approved by the Board of Zoning Adjustment under § 3104, subject to the provisions of this section, except that emergency shelters shall not be permitted in a CM-3 Districts

B.        Add a new subsection 802.21 to read as follows:

802.21   An emergency shelter for five (5) to one hundred and fifty (150) persons, not including resident supervisors or staff and their families, shall be permitted in C-M-1 and C-M-2 Districts only if the following requirements are met:

- (a)       There shall be not other property containing an emergency shelter or other community-based residential facility for seven (7) or more persons in the same square;

- (b) There shall be no other property containing an emergency shelter or other community based residential facility for seven (7) or more persons within a radius of one thousand (1,000) feet from any portion of the property;
- (c) Emergency shelters shall not be located within one thousand (1,000) feet of a square containing a wastewater treatment facility or a solid waste handling facility;
- (d) There shall be adequate, appropriately located, and screened off-street parking to provide for the needs of occupants, employees, and visitors to the facility;
- (e) The facility shall not have an adverse impact on the neighborhood because of traffic, noise, operations, or the number of similar facilities in the area;
- (f) The Board may approve more than one emergency shelter in a square or within one thousand (1,000) feet only when the Board finds that the cumulative effect of the facilities will not have an adverse impact on the neighborhood because of traffic, noise, or operations;
- (g) The Board may approve a facility for more than one hundred and fifty (150) persons, not including resident supervisors or staff and their families, only if the Board finds that the program goals and objectives of the District of Columbia cannot be achieved by a facility of a smaller size at the subject location and there is no other reasonable alternative to meet the program needs of that area of the District; and
- (h) The Board shall submit the application to the D.C. Office of Planning for coordination, review, report, and impact assessment, along with reports in writing of all relevant District departments and agencies, including but not limited to the Departments of Transportation and Human Services and, if a historic district or historic landmark is involved, the State Historic Preservation Officer.

C. Add a new subsection 821.17 to read as follows:

821.17 An emergency shelter shall not be permitted in an M zone.

Proposed amendments to the Zoning Regulations and Map of the District of Columbia are authorized pursuant to the Zoning Act of June 20, 1938, (52 Stat. 797), as amended, D.C. Official Code § 6-641.01 (2001), *et seq.*

The public hearing on this case will be conducted as a rulemaking in accordance with the provisions of Section 3021 of the District of Columbia Municipal Regulations, Title 11, Zoning. Pursuant to

that section, the Commission will impose time limits on testimony presented to it at the public hearing.

All individuals, organizations, or associations wishing to testify in this case should file their intention to testify in writing. Written statements, in lieu of personal appearances or oral presentations, may be submitted for inclusion in the record.

Information should be forwarded to Sharon Schellin, the Secretary of the Zoning Commission, Office of Zoning, Suite 200, 441 4th Street, N.W., Washington, D.C., 20001. Please include the number of this particular case and your daytime telephone number. **FOR FURTHER INFORMATION, YOU MAY CONTACT THE OFFICE OF ZONING AT (202) 727-6311.**

**CAROL J. MITTEN, ANTHONY J. HOOD, GREGORY N. JEFFRIES, JOHN G. PARSONS, AND MICHAEL G. TURNBULL, ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA, BY JERRILY R. KRESS, FAIA, DIRECTOR, AND BY SHARON SCHELLIN, SECRETARY TO THE ZONING COMMISSION.**